

1 HONORABLE RONALD B. LEIGHTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

9 TYLER R PHILLIPS,

10 v. Petitioner,

11 JEFFREY A UTTECHT,

12 Respondent.

CASE NO. C20-5030RBL

13 ORDER

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16 THIS MATTER is before the Court on Magistrate Judge Christel's Report and
17 Recommendation [Dkt. # 9], recommending denial of Petitioner §2254 habeas petition, and
18 dismissal without prejudice. Petitioner Phillips has not objected.

19 (1) The Report and Recommendation is **ADOPTED**;

20 (2) Phillips' §2254 habeas petition is **DISMISSED** without prejudice;

21 (3) For the reasons articulated in the R&R, the Court will **NOT** issue a Certificate of
22 Appealability; and

1 The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent,
2 and to the Hon. David W. Christel.

3 IT IS SO ORDERED.

4 Dated this 8th day of June, 2020.

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7 Ronald B. Leighton
8 United States District Judge

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